

# Exhibit 3

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
GREENEVILLE DIVISION**

**JANE DOES 1-9,**

**Plaintiffs,**

**v.**

**No: 2:23-cv-00071-TRM-CRW**

**CITY OF JOHNSON CITY, TENNESSEE, et al.,**

**Defendants.**

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**PLAINTIFFS' FIRST SET OF INTERROGATORIES AND REQUESTS FOR  
PRODUCTION OF DOCUMENTS TO DEFENDANT TOMA SPARKS**

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**PLEASE TAKE NOTICE** that pursuant to Rule 33 and 34 of the Federal Rules of Civil Procedure, Plaintiffs hereby request that Defendant, Toma Sparks, respond and produce for inspection and copying responsive documents at the offices of HMC Civil Rights Law, PLLC, 7000 Executive Center Drive, Suite 320, Brentwood, Tennessee 37027 within thirty (30) days after service of these interrogatories and requests for production of documents.

**I. DEFINITIONS**

1. "COMMUNICATION" means written communications or records of oral communications of any kind that transmit information in the form of facts, ideas, opinions, questions, or otherwise. They include electronic communications such as emails, online messages, chat logs, mobile messages, talk-to-text messages, machine-generated messages, facsimiles, and telephone communications; as well as letters, memoranda, exchanges of written or recorded information, in-person meetings, and events attended by Responding Party and its representative.

2. "DOCUMENT" means the term as used in Rule 34(a) of the Federal Rules of Civil

Procedure. A draft or non-identical copy is a separate document within the meaning of this term.

3. “REGARDING” means referring to, reflecting, concerning, or being in a way logically or factually connected with the matter discussed.

4. “SEAN WILLIAMS” OR “WILLIAMS” refers to the person named Sean Christopher Williams described in Plaintiffs’ Complaint.

5. “YOU,” and “YOUR,” means Toma Sparks.

## **II. INSTRUCTIONS**

1. Please produce the DOCUMENTS responsive to the numbered requests below that are in YOUR possession, custody, or control.

2. The relevant time period for these Requests is January 1, 2018, to present.

3. Construe the terms defined above and the individual requests for production and inspection broadly, to the fullest extent of their meaning.

4. If you file a timely objection to any portion of a request, definition, or instruction, produce DOCUMENTS responsive to the remaining portion.

5. If any DOCUMENT is withheld, in whole or in part, for any reason, including but not limited to any claim of privilege of any kind, work-product protection, trade secret, confidentiality, or any basis asserted under Tennessee Code Annotated § 10-7-504, please set forth separately with respect to each document: (a) a description of the privilege or grounds for confidentiality claimed; (b) the author(s) of the document (identifying who, if any, are attorneys); (c) the recipient(s) of the document, including all persons who received copies of the document (identifying who, if any, are attorneys); (d) the subject or title of the document; (e) the date of creation and/or date the document was sent; (f) a description of the document as set forth in Rule 26(b)(5)(A)(ii) of the Federal Rules of Civil Procedure; (g) the Bates range of the document; (h) a redacted version of the document; and (i) the privilege log reference number. Please produce any privilege log or list in an Excel spreadsheet

or other format capable of electronic sorting.

6. Please produce any purportedly privileged DOCUMENT containing non-privileged material and redact only the portion purportedly privileged.

7. Pursuant to Rule 34(b) of the Federal Rules of Civil Procedure, produce all electronically stored information in native format (including metadata) whenever possible, or in the format mutually agreed upon by the parties.

8. Because these requests are ongoing, please promptly produce any DOCUMENT discovered or obtained after the service of these requests.

9. Produce all documents in a Bates Stamped Format.

10. If you are refusing to produce a document on the basis of privilege, please provide a Privilege Log.

11. If you are responding to an interrogatory by referring Plaintiffs to a document, please identify any document with specificity and by Bates range.

### **III. INTERROGATORIES**

1. Please state where you have been employed for the past ten years, state your job title/position/rank, describe your job duties, state who you reported to for the time frame in question (including their name and rank) and state your rate of pay and yearly salary for each year. If you are retired, state the date of retirement and identify any and all retirement benefits you currently receive.
2. Identify any properties you have had any ownership interest in by address, in the past 10 years. If you are a partial owner, or there is a lien holder, clarify any other parties who have an ownership interest.
3. State whether you have been a dues paying member of a union or collective bargaining association in the past 10 years. If so, identify the dates of membership and the name and

address of any such union or CBA.

4. State whether you were involved in the execution of any search warrants involving Sean Williams. If so, list all such warrants, including the date and what was sought in the warrant.
5. State your residential address, (if you maintain more than one residence or dwelling, state all), any email addresses you have maintained in the past 10 years, any phone number you have used in the past 10 years, including the corresponding cellular provider.
6. State whether you have maintained any social media accounts in the past 10 years, if so, state which social media platform and provide your username.
7. State whether you have provided any statements or documentation to Eric Daigle or the Daigle Law Group, either directly or indirectly through representatives of Johnson City. If so, provide the substance of any such statement or documentation.
8. State whether you have or have had an ownership interest in any business (sole proprietorship, PLLC, LLC, Corporation) in the past 10 years. If so, identify any such business, your degree of control or ownership, and if you have any business partners, identify those persons.
9. List all assets in your possession, custody or control that may be used to satisfy a judgment.
10. For the past 10 years, in your role at JCPD, describe your role in sexual assault investigations and what policies and procedures you followed in that role.
11. For the past 10 years, in your role at JCPD, state and describe your role, if any, in the decision to approve reports of investigation involving cases of sexual assault and/or refer any such case to the District Attorney's office. In doing, identify any documents that would have been regularly used and any persons involved in any such process.

#### **IV. DOCUMENT REQUESTS**

1. All DOCUMENTS and COMMUNICATIONS REGARDING Plaintiffs (a key will be provided indicating Plaintiff's identity), including but not limited to, recordings, incident reports, statements, and inter- or intra- departmental COMMUNICATIONS in your possession.
2. All DOCUMENTS and COMMUNICATIONS REGARDING SEAN CHRISTOPHER WILLIAMS, including but not limited to, recordings, incident reports, statements, and inter- or intra- departmental COMMUNICATIONS in your possession.
3. ALL DOCUMENTS and COMMUNICATIONS REGARDING the search and seizure of any evidence in cases involving WILLIAMS, including any drafts of any search or seizure warrants and their supporting affidavits; any inter- or intra- departmental COMMUNICATIONS regarding the search and seizure warrants or drafts of such warrants and their corresponding affidavits; and any chain-of-custody documents or receipts for any piece of evidence in any case involving WILLIAMS, including the custodian for any piece of evidence, and any inter- or intra- departmental COMMUNICATIONS concerning that evidence. This evidence includes Child Sexual Abuse Material ("CSAM"), or child pornography as defined by 18 U.S.C. § 2256, and Sexual Abuse Material ("SAM"), or images and videos depicting the sexual assault of WILLIAMS' victims.<sup>1</sup> This request includes any data or evidence gathered from the rape kits collected by JCPD from Jane Doe 2, Jane 5 and

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<sup>1</sup> As set forth in the Parties Proposed Protective Order, CSAM and SAM should be treated as contraband, and should remain in the custody and control of the relevant law enforcement agency which has lawful custody of the material. Accordingly, Plaintiffs request any relevant CSAM or SAM relating to this request which is in the custody and control of Defendants be produced in redacted form with the original material remaining in Defendant's custody to be made available for in-person review by Plaintiffs' counsel.

Jane Doe 7, as well as other physical evidence such as clothing collected from them. This evidence also includes all body camera, video, and other electronic evidence related to, recorded during, and collected from the search of WILLIAMS' apartment on or about September 20 and 23, 2020, including all video footage of WILLIAMS' interview with JCPD and any and all interactions with law enforcement.

4. ALL DOCUMENTS YOU PROVIDED TO, OR MADE AVAILABLE TO, the Daigle Law Group in preparation of their July 10, 2023, audit of the Johnson City Police Department's handling of sex related crimes.
5. Any DOCUMENT OR COMMUNICATION provided in Kat Dahl's lawsuit, including a copy of your deposition transcript.
6. Any (non-privileged) COMMUNICATIONS or screen shots of text messages that relate or refer to the allegations of this lawsuit.
7. All tax form W-2's, 1099's and tax returns filed by you or on your behalf, personally, as a member of a trust or other legal entity, or on behalf of any business you have or had an ownership interest in for the past 10 years to date.

Dated: January 12, 2024

Respectfully submitted,

s/ Heather Moore Collins

Heather Moore Collins (#026099)

Ashley Shoemaker Walter (#037651)

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—and—

s/ Vanessa Baehr-Jones

Vanessa Baehr-Jones (California Bar #281715)

*Pro Hac Vice*

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## CERTIFICATE OF SERVICE

I HEREBY certify that a copy of the foregoing has been filed and served via the court's electronic filing system on January 12, 2024 to counsel of record:

<p>K. Erickson Herrin HERRIN, McPEAK &amp; ASSOCIATES 515 East Unaka Avenue P. O. Box 629 Johnson City, TN 37605-0629 Email: <a href="mailto:lisa@hbm-lawfirm.com">lisa@hbm-lawfirm.com</a></p> <p>Emily C. Taylor Reid Spaulding WATSON, ROACH, BATSON &amp; LAUDERBACK, P.L.C. P.O. Box 131 Knoxville, TN 37901-0131 Email: <a href="mailto:etaylor@watsonroach.com">etaylor@watsonroach.com</a> Email: <a href="mailto:rspaulding@watsonroach.com">rspaulding@watsonroach.com</a></p> <p><i>Attorneys to Defendants, Johnson City, Tennessee, Karl Turner, in his individual and official capacities, Captain Kevin Peters, in his official capacity, and Investigator Toma Sparks, in his official capacity</i></p>	<p>Daniel H. Rader III Daniel H. Rader IV MOORE, RADER &amp; YORK PC 46 N. Jefferson Avenue P.O. Box 3347 Cookeville, TN 38502-3347 <a href="mailto:danrader@moorerader.com">danrader@moorerader.com</a> <a href="mailto:danny@moorerader.com">danny@moorerader.com</a> <i>Counsel for Kevin Peters in his individual capacity</i></p> <p>Kristin Ellis Berexa Ben C. Allen FARRAR BATES BEREXA 12 Cadillac Drive, Suite 480 Brentwood, TN 37027-5366 <a href="mailto:kberexa@fbb.law">kberexa@fbb.law</a> <a href="mailto:ballen@fbb.law">ballen@fbb.law</a> <i>Counsel for Toma Sparks in his individual capacity</i></p> <p>Keith H. Grant Laura Rufolo Robinson, Smith &amp; Wells, PLLC 633 Chestnut Street, Suite 700 Chattanooga, TN 37450 E-mail: <a href="mailto:kgrant@rswlaw.com">kgrant@rswlaw.com</a> E-mail: <a href="mailto:lrufolo@rswlaw.com">lrufolo@rswlaw.com</a></p> <p><i>Counsel for Justin Jenkins in his individual capacity</i></p>
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s/Heather Moore Collins